

In the United States Court of Federal Claims

No. 19-1796C

(E-filed: March 13, 2020)

AMAZON WEB SERVICES, INC.,)
)
Plaintiff,)
)
v.)
)
THE UNITED STATES,)
)
Defendant,)
)
and)
)
MICROSOFT CORP.,)
)
Intervenor-defendant.)

ORDER

On March 12, 2020, defendant filed a motion for voluntary remand, asking the court to “remand this case to the Department of Defense . . . for 120 days to reconsider certain aspects of the challenged agency decision.” ECF No. 177. Therein, defendant indicates that it intends to issue a solicitation amendment with regard to one technical factor, seeking proposal revisions on that issue. See id. at 2. Defendant also states that it will reconsider additional aspects of the procurement, for which proposal revisions will not be necessary. Id. Defendant argues that remand is appropriate because “[d]uring the proposed remand, the agency potentially could make decisions that would moot this action, in whole or in part, and may obviate the need for further litigation in this Court.” Id. at 3. Defendant reports that while intervenor-defendant does not oppose the remand, plaintiff intends to file a response in opposition to the motion.

In addition to the motion to remand, six motions are presently pending on the docket in this case: (1) plaintiff’s motion to supplement the administrative record, ECF No. 124; (2) plaintiff’s motion to correct the administrative record, ECF No. 127; (3) defendant’s motion for partial dismissal, ECF No. 132; (4) intervenor-defendant’s motion

for partial dismissal, ECF No. 133; (5) a motion for leave to file an amicus brief, filed by The Protect Democracy Project, Inc., ECF No. 152; and (6) a motion for leave to file an amicus brief, filed by Citizens for Responsibility and Ethics in Washington, ECF No. 157. Each of these motions is fully briefed. In the court's view, however, defendant's motion for remand could render these motions moot.

Accordingly, the court **STAYS** consideration of these motions until defendant's motion for remand is resolved.

IT IS SO ORDERED.

s/Patricia E. Campbell-Smith
PATRICIA E. CAMPBELL-SMITH
Judge